IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NATHAN SMITH	§	
	§	
vs.	§	Civil Action No. 4:07-00784
	§	
THE ABANDONED VESSEL, *in rem*	§	

SUGGESTION OF DEATH AND
UNOPPOSED MOTION TO SUBSTITUTE PROPER PARTY

TO THE HONORABLE JUDGE OF THE COURT:

Morgan Dunn O'Connor, Executor of the Estate of Marie O'Connor Sorenson, Intervenor herein, files this Suggestion of Death and Motion to Substitute Proper Party and shows the Court:

1. Marie Sorenson, Intervenor herein, died on April 17, 2008. Morgan Dunn O'Connor received her letters testamentary as Executor of the Estate of Marie O'Connor Sorenson on May 5, 2008.

2. Under Fed. R. Civ. P. 25, Morgan Dunn O'Connor, as Executor of the Estate of Marie O'Connor Sorenson, should be substituted as the proper party for the decedent.

3. The undersigned counsel conferred with Plaintiff's counsel, and Plaintiff is not opposed to this motion.

WHEREFORE, Morgan Dunn O'Connor requests the Court substitute Morgan Dunn O'Connor, Executor of the Estate of Marie O'Connor Sorenson, as Intervenor in this case and that Intervenor recover such other and further relief as to which she may be justly entitled.

Respectfully submitted,

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Attorneys for Intervenor

CERTIFICATE OF SERVICE

This is to certify that the foregoing was served on all parties in accordance with the Federal Rules of Civil Procedure on May 7, 2008.

_____/s/ *Ronald B. Walker*_____
Ronald B. Walker